



## Chesterfield County, Virginia

### Memorandum

**DATE:** FEBRUARY 20, 2004

**TO:** CHESTERFIELD COUNTY PLANNING COMMISSION

**FROM:** THOMAS E. JACOBSON, DIRECTOR OF PLANNING *Tom*

**SUBJECT:** DRAFT OF PROPOSED AMENDMENT TO ZONING ORDINANCE  
REGARDING RETAINING WALLS

Staff recommends approval of the Ordinance amendment that addresses the appearance and safety of retaining walls.

#### Background:

As areas of developable flat land diminish and land values increase, developers are frequently using tall stacked-block retaining walls to maximize buildable areas in their projects. The Planning Commission directed staff to ascertain if other communities are regulating the appearance of these walls that are often close to public roads and perimeters of adjacent properties. Staff determined that several communities regulate retaining wall appearance by requiring that the walls be compatible with the building architecture on site. Staff has attached a draft ordinance amendment that ensures that retaining walls use compatible materials and colors to the principal building(s) in the same view shed as the wall, or if that is not deemed feasible, that walls are an earth-tone color acceptable to the director of planning. The draft amendment also proposes that additional evergreen trees shall be planted in front of large expanses of walls higher than ten (10) feet, and that a minimum area ten (10) feet wide at the base of such walls shall be free of easements. Staff also included provisions that allow the director of planning to administratively waive requirements for compatibility and landscaping under certain conditions.

At the February work session with the Planning Commission, staff requested to add language that addresses public safety around retaining walls. Whenever staff has required pedestrian and vehicular safety barricades at the tops of walls, staff has relied on the general purposes of the Zoning Ordinance to promote the health, safety, and welfare of the community. Staff believes it is appropriate to include language that specifies the requirements for applying safety barricades. Such language is now included in this draft Ordinance amendment as Sec. 19-570.1 (e). Any waiver to this section must occur through a development standard waiver to the Planning Commission.

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY  
OF CHESTERFIELD, 1997, AS AMENDED, BY ADDING  
SECTION 19-570.1 OF THE ZONING ORDINANCE RELATING  
TO DEVELOPMENT STANDARDS FOR RETAINING WALLS  
IN OFFICE, COMMERCIAL AND INDUSTRIAL DISTRICTS

BE IT ORDAINED by the Board of Supervisors of Chesterfield County:

(1) *That Section 19-570.1 of the Code of the County of Chesterfield, 1997, as amended, is added to read as follows:*

DIVISION 3. DEVELOPMENT REQUIREMENTS –  
OFFICE, COMMERCIAL AND INDUSTRIAL

*Subdivision I. General Provisions, Development Requirements – Countywide*

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**Sec. 19-570.1. Retaining Walls.**

(a) Retaining walls shall be constructed so that they are compatible in appearance with the principal structures in the development and/or the view shed in which they are located. Compatibility shall be accomplished through the use of integrated color block or other material that is similar in appearance to the primary structures or is an earth tone acceptable to the Director of Planning.

(b) Walls over ten (10) feet in height and within fifty (50) feet of, and facing, an exterior property line or public right of way shall employ landscaping along the wall base to soften the visual impact of the wall. Landscaping shall consist of any required setback planting as well as additional evergreen trees to break up large expanses of wall.

(c) Walls shall use the same setback as required for drives and parking from rights of way or property lines. When landscaping is required along the base of a wall, setbacks shall be increased, if necessary, so that a minimum ten (10) foot planting area is provided that is free from any easements, overhead or underground utilities, or other encumbrances that might prevent the installation of required landscaping.

(d) The director of planning may waive any requirements of 19-570.1(a) through 19-570.1(c) at the time of site plan review if it is determined that the visibility or impact of a wall is minimized due to its location, orientation or other conditions in the vicinity of the wall.

(e) Retaining walls four (4) feet tall and higher shall incorporate permanent fencing on the upper side of the wall, and if visible to the public, decorative fencing. Fencing shall be a minimum height of forty-eight (48) inches. If vehicle parking or drives occur on the upper side of the wall without sufficient physical impediment to a vehicle reaching the wall, at least one of the following measures shall be incorporated between the decorative fence and the vehicle area: vehicle guardrails, earth berms at least three (3) feet high above grade on the approach side, or concrete filled steel bollards space four (4) feet on center.

(2) *That this ordinance shall become effective immediately upon adoption.*